

MINUTES OF SPECIAL MEETING

BOARD OF SELECTMEN

July 29, 2010

The special meeting of the Board of Selectmen was called to order at 6:15 pm, in the Conference Room 1, at the North Haven Town Hall, 18 Church Street, North Haven, CT.

Members Present

First Selectman, Michael J. Freda

Second Selectman, Timothy M. Doheny

Third Selectman, Stephen A. Fontana

Others Present

Attorney William A. Ryan

Mr. Freda introduced himself, Second Selectman, Tim Doheny and Third Selectman, Stephen Fontana. Mr. Freda began by asking Mr. Doheny to read the following resolution.

RESOLUTION: Be it resolved that it is in the best interests of the Town of North Haven to enter into contracts with the Department of Environmental Protection.

In furtherance of this resolution, Michael J. Freda, the First Selectman is duly authorized to enter into and sign said contracts on behalf of the Town of North Haven. Michael J. Freda currently holds the title of First Selectman and has held that office since December 1, 2009. The First Selectman is further authorized to provide such additional information and execute such other documents as may be required by the local, state or federal government in connection with said contracts and to execute any amendments, rescissions, and revisions thereto.

Mr. Freda stated that he realized he neglected to ask for public comments relative to the agenda and asked that before proceeding with the resolution if there were any public comments.

Miriam Brody asked if the resolution on the agenda pertained to the Pfizer Public Meeting coming up on August 4th.

Mr. Freda responded no that it pertained to a project on Todd Drive. Also he noted that as we move into the permit process with DEP and DOT the passing of this resolution will allow him to sign the necessary documents. Moving forward it does have broad definition allowing him to sign other documents necessary for additional projects.

Ann DeMatteo asked for the status of the Todd Drive project. Mr. Freda stated that the first shovel in the ground is slated for Monday, August 2nd. This will be minor prep work involving catch basins prior to the larger project starting sometime in the fall with the first installation for drainage. Mr. Freda stated that the project will extend through the fall into and throughout the next year. He is pleased that we have made it through the permit process and he along with Lynn Sadosky and Jonathan Bodwell have met recently with the DEP, the DOT and various state agencies. He also noted that Mr. Fontana and Mr. Fasano were instrumental years ago in helping to obtain the \$600,000.

Ann DeMatteo asked if Gerardo Sorkin was no longer in the Town's employment, how you could have an executive session to discuss a personnel issue. Mr. Freda responded that although Ann was correct, he checked with FOIA and was advised that it could be considered a personnel issue. Ann DeMatteo asked what the issue was. Mr. Freda stated he could not divulge that information at this time, but once they come out of executive session and an agreement is reached he would be happy to advise the public at that time, but he was unable to do so this evening. Ann asked if it was possible that it could be settled this evening. Mr. Freda stated that although they may reach a consensus, it will have to be agreed to by the other party and that would not take place this evening. She also asked if he was let go according to the personnel policy guidelines. Mr. Freda stated he was, however, that policy was put together decades ago and there is some ambiguity concerning it.

Following the public comment, Mr. Freda entertained a motion to pass the aforementioned resolution. Mr. Doheny seconded the motion.

Voted: Freda – Yes, Doheny – Yes, Fontana – Yes

At 6:22 pm, Mr. Doheny motioned to enter into executive session to discuss personnel issues regarding Gerardo Sorkin and invited in Town Attorney, William Ryan.

Voted: Freda – Yes, Doheny – Yes, Fontana – Yes

At 6:50 pm, the Board returned from executive session. Mr. Doheny motioned to make a resolution to authorize First Selectman, Michael Freda to enter into a separation agreement with Gerardo Sorkin within the parameters discussed in executive session.

Mr. Fontana seconded the motion and stated that he appreciated the discussion that transpired during executive session and while he personally regrets Mr. Sorkin's separation from the Town, that he felt what was discussed is an appropriate resolution to the situation. He also feels that there is broad agreement that the personnel policy manual does need to be revised and updated and looks forward to working with both Selectmen on that. Mr. Freda and Mr. Doheny agreed.

Voted: Freda – Yes, Doheny – Yes, Fontana – Yes

Mr. Freda asked for public comments. Ann DeMatteo asked if the agreement that Mr. Freda is going to work on regarding Mr. Sorkin's separation will cause the Town to spend money. Mr. Freda acknowledged that he could not comment until the agreement is finalized with Mr. Sorkin. Once that is done, he would be happy to answer questions.

Mr. Gary Amato asked if there was an agreement within the Town personnel policy that it must maintain six (6) department heads. Mr. Freda responded that there is some ambiguity on the policy and that is why they were here tonight. Mr. Amato asked if Mr. Freda knew about the personnel policy prior to Mr. Sorkin's separation. Mr. Freda responded yes. The policy has a clause in it for cause, and that is where the ambiguity lies. There is a broad definition of the word cause. Mr. Amato asked if Mr. Freda discussed terminating Mr. Sorkin with the attorneys. Mr. Freda responded the decision was based on a collaborative interpretation of the clause.

Mr. Freda asked for additional questions or comments and after hearing none and seeing none, Mr. Doheny motioned to adjourn.

Voted: Freda – Yes, Doheny – Yes, Fontana – Yes

Meeting adjourned at 6:55 pm